

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

Filed: September 24, 2018

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VICTORIA PUSATERI,

Petitioner,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.
* * * * *

No. 16-467V

Special Master Gowen

Attorneys' Fees and Costs;
Interim; Denial.

DECISION ON INTERIM ATTORNEYS' FEES AND COSTS

On September 20, 2018, petitioner filed a second motion for interim attorneys' fees and costs. Motion for Interim Attorney's Fees and Costs ("Petitioner's Motion"), ECF No. 78. Petitioner was awarded \$17,725.00 in interim costs on February 13, 2018. *See* Decision on Attorneys' Fees and Costs, ECF No. 65.

In her instant Motion, petitioner requested \$21,518.00 as reimbursement for interim attorneys' fees and \$5,306.30 as reimbursement for interim costs. Petitioner's Motion at ¶ 15.

As stated in the Initial Order, I do not typically award interim fees and costs when the amount of fees requested is less than \$30,000.00, or when the requested costs are less than \$15,000.00. Initial Order at 4, ECF No. 12.

As petitioner was awarded interim fees and costs only seven months ago and the amounts she requested for reimbursement in her instant motion do not meet or exceed the benchmark provided in the Initial Order, petitioner's motion is **DENIED** as premature. Petitioner may request the fees and costs included in her motion at the conclusion of the case or if and when the amounts requested meet or exceed the benchmark amounts.

Any questions about this Order or other aspects of the case may be directed to my law clerk, Kathryn Le, at (202) 357-6361 or kathryn_le@cfc.uscourts.gov.

IT IS SO ORDERED.

s/Thomas L. Gowen
Thomas L. Gowen
Special Master